IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE NINETEENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 8569 of 2005

Between:

Deen Dayal Educational Academy, Siddharthnagar, Vikarabad, Ranga Reddy District, Rep. by its President, K. Jaidev S/o. K. Buddha Dev, aged 36 years, R/o. Vikarabad, Ranga Reddy District.

..... PETITIONER

AND

1 The Principal Secretary to Government, Government of Andhra Pradesh,

School Education (Training-A1) Department, at Secretariat, Hyderabad.
2 The Registrar, Osmania University, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ of Mandamus or any other appropriate Writ or Writs, Order or direction, declaring the Proceedings dt. 6-4-2005 in Lr.No. 320/MR/H-B.Ed/2004-05/ Acad. TV-2 on the file of the 2nd respondent, returning the application of the petitioner for grant of affiliation to the college established by them to start B.Ed Course, on the ground that the petitioner do not have permission from the State Government, as illegal and arbitrary and consequently direct the 2nd Respondent to forthwith grant affiliation to the college established by petitioner, for the year 2004-2005, as per section 14 (6) of N C T E Act, without insisting for grant of permission from the State Government; Award costs and pass such other or further orders as are deemed fit and proper in the circumstances of the case.

Counsel for the Petitioner:MR.N.SRIDHAR REDDY

Counsel for the Respondents: GP FOR EDUCATION

The Court at the stage of admission made the following :

O R D E R:

This writ petition is filed seeking a declaration that the proceedings of the second respondent-University dated 06-04-2005 returning the application of the petitioner for affiliation are arbitrary and illegal.

When the matter is taken up for consideration, it is represented by the learned counsel for the petitioner as well as the learned standing counsel appearing for the second respondent-University that the issue involved in this writ petition is squarely covered by the decision in W.P.No.7878 of 2005 dated 13-04-2005, in which this Court having considered an identical question held as follows:

> " So far as the case on hand is concerned, since the only objection raised by the second respondent-University in the impugned letters that the petitioners have to obtain the permission from the Government is found to be unwarranted and untenable, I deem it appropriate to dispose of the writ petition with a direction to the second respondent-University to reconsider the request of the petitioners for grant of affiliation and to pass appropriate orders afresh.
>
> Accordingly, the impugned letters dated 06-04-2005 are set aside and the Writ Petition is disposed of with a direction to the second respondent-University to consider the applications of the petitioners afresh for grant of affiliation to the colleges established by them for the academic year 2004-2005 without insisting for obtaining permission from the Government to start the colleges and to pass appropriate orders in accordance with law as

expeditiously as possible preferably within a period of one week from the date of receipt of this order. No costs."

Accordingly, the writ petition is disposed of with a direction to the second respondent-University to consider the application of the petitioner afresh for grant of affiliation to the college established by it for the academic year 2004-2005 without insisting for obtaining permission from the Government to start the college and to pass appropriate orders in accordance with law as expeditiously as possible preferably within a period of one week from the date of receipt of a copy of this order. No costs.

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(G.ROHINI,J)

Date:19-04-2005

Note: Issue C.C. by tomorrow.

B/o

ghn

To

1 The Principal Secretary to Government, Government of Andhra Pradesh,

School Education (Training-A1) Department, at Secretariat, Hyderabad.
2 The Registrar, Osmania University, Hyderabad.

3 Two C.D copies to the G.P for Education, High Court Buildings, A.P.,

Hyderabad (OUT)

4 Two C.D copies.